

SENATE BILL No. 507

DIGEST OF INTRODUCED BILL

Citations Affected: IC 22-3.

Synopsis: Worker's compensation insurance. Requires an insurer, before requiring a charitable, religious, educational, or other nonprofit organization to insure a person with whom the organization contracts for youth coaching services as an employee for purposes of worker's compensation and occupational disease law, to provide a written determination to the organization as to whether the person is an employee or an independent contractor. Requires the worker's compensation board to review the insurer's determination at the organization's request.

Effective: July 1, 2005.

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January 18, 2005, read first time and referred to Committee on Pensions and Labor.

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Introduced

First Regular Session 114th General Assembly (2005)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2004 Regular Session of the General Assembly.

SENATE BILL No. 507

A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 22-3-5-5.3 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2005]: **Sec. 5.3. (a) Except as provided in subsection (b), an**
4 **insurer may not require a charitable, religious, educational, or**
5 **other nonprofit organization to insure as an employee under**
6 **IC 22-3-2 through IC 22-3-6 a person with whom the organization**
7 **contracts for youth coaching services.**

8 **(b) In order for an insurer to require a charitable, religious,**
9 **educational, or other nonprofit organization to insure a person**
10 **described in subsection (a) under IC 22-3-2 through IC 22-3-6, the**
11 **insurer must first analyze and provide a written determination to**
12 **the organization, for each person with whom the organization**
13 **contracts for youth coaching services, as to whether the person is**
14 **an employee or an independent contractor under state law.**

15 **(c) A charitable, religious, educational, or other nonprofit**
16 **organization that receives a determination from an insurer under**
17 **subsection (b) is entitled to have the worker's compensation board**

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1 review the insurer's determination under IC 22-3-1-3(b)(14).

2 SECTION 2. IC 22-3-7-34.7 IS ADDED TO THE INDIANA CODE
3 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
4 1, 2005]: Sec. 34.7. (a) Except as provided in subsection (b), an
5 insurer may not require a charitable, religious, educational, or
6 other nonprofit organization to insure as an employee under this
7 chapter a person with whom the organization contracts for youth
8 coaching services.

9 (b) In order for an insurer to require a charitable, religious,
10 educational, or other nonprofit organization to insure a person
11 described in subsection (a) under this chapter, the insurer must
12 first analyze and provide a written determination to the
13 organization, for each person with whom the organization
14 contracts for youth coaching services, as to whether the person is
15 an employee or an independent contractor under state law.

16 (c) A charitable, religious, educational, or other nonprofit
17 organization that receives a determination from an insurer under
18 subsection (b) is entitled to have the worker's compensation board
19 review the insurer's determination under IC 22-3-1-3(b)(14).

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